

### **REMARKS**

The foregoing amendment amends claims 16, 17, 19 and 20, cancels claims 14, 15 and 18, and adds claim 22. Now pending in the application are claims 1-13, 16-17 and 19-22 of which claim 1, 10, 16 and 19 are independent. The following comments address all stated grounds for objection and place the pending application in condition for allowance.

#### **Patentable Subject Matter**

Claims 1-13 are allowed. Claims 16 and 19 are indicated to recite patentable subject matter and would be allowable if rewritten in independent form. In the foregoing claim amendments, Applicants rewrite claims 16 and 19 in independent form by incorporating the limitations recited in base claims 14 and 18, respectively. Claims 14 and 16 are subsequently canceled. In light of the foregoing claim amendments, Applicants submit that claims 16 and 19 are now in condition for allowance.

#### **Claim Rejections - 35 U.S.C. §102**

Claims 14, 15, 17, 18, 20 and 21 are rejected under 35 U.S.C. §102(a) as being anticipated by "System Design of Fuel Cell Powered Hybrid Vehicle Drive Train."

In the foregoing claim amendments, Applicants amend claims 16 and 19 in independent form by incorporating the limitations recited in base claims 14 and 18, respectively. Claims 14 and 16 are subsequently canceled. Applicants also amend claims 17 and 21 to depend from allowable claims 16 and 19, respectively. Applicants add new claim 22, which recites the same subject matter as claim 15, to depend from allowable claims 16. Claim 15 is now canceled.

In light of the foregoing claim amendments, Applicants submit that claims 16, 17 and 19-22 are in condition for allowance. Applicants therefore request the Examiner to reconsider and withdraw the rejection of claims 14-15, 17-18 and 20-21 under 35 U.S.C. §102(a), and pass the claims to allowance.

Application No.: 10/723935  
Group Art Unit: 2863

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Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SIW-076 from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

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